



Atty. Dkt. No. 067286-0277

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: James C. KENNEDY et al.

Title: PHOTOCHEMOTHERAPEUTIC METHOD
USING 5-AMINO LEVULINIC ACID AND
OTHER PRECURSORS OF ENDOGENOUS
PORPHYRINS

Appl. No.: 10/605,825

Filing Date: 10/29/2003

Examiner: Unassigned

Art Unit: 1617

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Mail Stop PATENT APPLICATION
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Applicants submit herewith on Form PTO/SB/08 a listing of the documents cited by or submitted to the U.S. PTO in parent application Serial No. 09/816,329, filed 03/26/2001. As provided in 37 CFR §1.98(d), copies of the documents are not being provided since they were previously submitted to the United States Patent & Trademark Office in the above-identified parent application.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

RELEVANCE OF EACH DOCUMENT

The relevance of the listed documents is explained in the parent application.

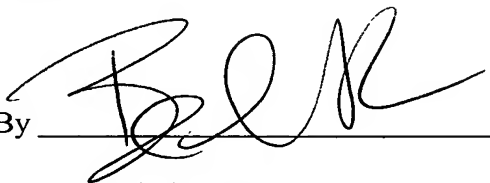
Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

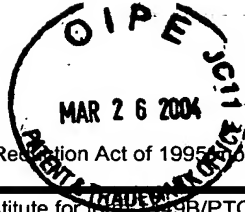
The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date 26 March 2004

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Attorney for Applicants
Registration No. 35,087



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Substitute for Form PTO 149B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known	
				Application Number	10/605,825
				Filing Date	10/29/2003
				First Named Inventor	James C. Kennedy
				Group Art Unit	1617
				Examiner Name	Unassigned
Sheet	1	of	6	Attorney Docket Number	067286-0277

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	A1	5,211,938		KENNEDY et al.	05/93	
	A2	5,219,878		RINGUET et al.	06/93	
	A3	5,163,990		REBEIZ	11/92	
	A4	5,200,427		REBEIZ et al.	04/93	
	A5	5,079,262		KENNEDY et al.	01/92	
	A6	5,234,940		KENNEDY et al.	08/93	
	A7	4,772,681		FUKUDA et al.	09/88	
	A8	4,977,177		BOMMER et al.	12/90	
	A9	5,004,811		BOMMER et al.	04/91	
	A10	5,127,938		REBEIZ	07/92	
	A11	5,422,093		KENNEDY et al.	06/95	
	A12	4,932,934		DOUGHERTY et al.	06/90	
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	A18	5,705,518		RICHTER et al.	06/98	

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		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	A19	EP	0 233 701			08/87		
	A20	WO	95/07077			03/95		

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	A21	WO	93/08715			05/93		
	A22	WO	91/01727			02/91		
	A23	WO	95/31189			11/23/95		
	A24	WO	94/06424			3/31/94		
	A25	WO	95/05813			3/2/95		
	A26	WO	93/20810			10/28/93		
	A27	WO	94/12239			6/9/94		

NON PATENT LITERATURE DOCUMENTS					T ⁶
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	A28	BOEHNCKE, et al., Treatment of Psoriasis by Topical Photodynamic Therapy with Polychromatic Light, <i>The Lancet</i> , 343:801, March 1994			
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	A33	German Abstract No. A78035910, "Investigation and Therapy In Dermatology With Dye Lasers", ANDERS et al., pp. 772, (1977)			
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	A36	KENNEDY et al., "Topical Photodynamic Therapy For Cancers Of The Skin", <i>Canadian Dermatology Association Journal</i> , Vol. 5, No. 3, pp. 45-47, (1991)		
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	A40	MALIK et al., "The Role Of Hemin In The Regulation Of Heme Synthesis By Fetal Mouse Liver Erythroblasts In Culture", <i>Exp. Hemat.</i> , Vol. 7, No. 4, pp. 183-188, (1979)		
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	A44	SIMA et al., "Experimental Porphyric Neuropathy: A Preliminary Report", <i>Canada J. Neurol. Sci.</i> , Vol. 8, No. 2, pp. 105-114, (1981)		
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	A47	YANG et al., "Treatment With 5-Aminolevulinic Acid And Photoactivating Light Causes Destruction Of Preimplantation Mouse Embryos", <i>Fertility and Sterility</i> , Vol. 63(5):1088-1093, (1995)		
	A48	HUA et al., "Effectiveness of δ -Aminolevulinic Acid-Induced Protoporphyrin As A Photosensitizer - For Photodynamic Therapy In Vivo", <i>Cancer Research</i> , Vol. 55:1723-1731, (1995)		
	A49	ASH et al., "New Drugs And Future Developments In Photodynamic Therapy", <i>Eur. J. Cancer</i> , Vol. 29A(12):1781-1783, (1993)		

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	A50	KOENIG et al., "In Vivo Photoproduct Formation During PDT With ALA-Induced Endogenous Porphyrins", <i>J. Photochem. Photobiol. B: Biol.</i> , Vol. 18:287-290, (1993)		
	A51	VAN HILLEGERSBERG et al., "Current Status of Photodynamic Therapy In Oncology", <i>Drugs</i> , Vol. 48(4):510-527, (1994)		
	A52	YANG et al., "Photodynamic Ablation of Early Pregnancy in the Rat With 5-Aminolevulinic Acid: A Potential New Therapy For Tubal Ectopic Pregnancy in the Human", <i>Fertility And Sterility</i> , Vol. 62(5):1060-1065, (1994)		
	A53	WOLF et al., "Photodynamic Therapy for Mycosis Fungoides After Topical Photosensitization With 5-Aminolevulinic Acid", <i>Journal of the American Academy of Dermatology</i> , Vol. 31:678-680, (1994)		
	A54	FUKUDA et al., "Tumor-Localizing Properties of Porphyrins, in vitro Studies Using The Porphyrin Precursor, Aminolevulinic Acid, In Free And Liposome Encapsulated Forms", <i>Drug Des. Deliv.</i> , Vol.5:133-139, (1989)		
	A55	YANG et al., "Intrauterine 5-Aminolevulinic Acid Induces Selective Fluorescence And Photodynamic Ablation Of The Rat Endometrium", <i>Photochemistry And Photobiology</i> , Vol. 57(5):803-807, (1993)		
	A56	GRANT et al., "Photodynamic Therapy of Oral Cancer: Photosensitisation With Systemic Aminolaevulinic Acid", <i>The Lancet</i> , Vol. 342:147-148, (1993)		
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	A60	KENNEDY, "Photodynamic Therapy With Endogenous Protoporphyrin IX: Basic Principles And Present Clinical Experience", <i>Journal of Photochemistry and Photobiology, B: Biology</i> , Vol. 6:143-148, (1990)		
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	A68	UNTCH et al., "Synergistischer Effekt von Delta-Aminolaevulinsaeure und Photodynamischer Lasertherapie Anhand Eines In-Vitro-Modells Mit Dem ATP-Tumorchemosensitivitaetstest", <i>Gynaekol Geburtshilfliche Rundsch</i> , Vol. 35:85-89, (1995)		
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